



## WASHINGTON.

### VIOLATIONS OF THE LAW.

Civil Service Chairman Has Made Reply to Smith.

Latter, He Says, Bogs or Evades the Question.

Secretary Wilson on the Present Condition of the County— Capitol Items.

(BY THE ASSOCIATED PRESS—P.M.)

WASHINGTON, July 16.—Chairman Proctor of the Civil Service Commission has made reply to the recent letter of former Postmaster General Smith concerning the latter's attack on his report on the investigation of the Washington postoffice, and also to an editorial article in the Philadelphia Press. The reply to Mr. Smith's formal letter is as follows:

JULY 24, 1903.

The Honorable, the Postmaster-General:

My attention has been called to the letter, dated July 14, of Hon. Charles Emory Smith, as it appeared in the public press of July 20, commenting on the recent letter of the commission in regard to the administration of the public service in the Washington postoffice. There are certain parts of Mr. Smith's letter which seem to demand attention.

The relevancy of a portion of the commission's letter has been denied by Mr. Smith, although the essential facts it contained have not been controverted.

Concerning the question of relevancy, it may be stated that the Postmaster-General requested the commission to investigate and report whether the civil service rules were violated in the Washington postoffice, and that the investigation disclosed the fact that regarding the relation of a bureau to the department in the matter of appointments and other changes, some of the civil service rules necessarily come within its scope.

"This was especially true with regard to persons appointed to outside offices for the purpose of classification, and afterwards transferred to the Washington postoffice. In later cases the department, as well as in the cases of persons appointed as laborers, but irregularly assigned to classified duty in the Washington postoffice, who were afterwards transferred in the rural free-delivery service just before its classification. Mr. Smith states that one-third of Mr. Proctor's letter which immediately concerns the Washington postoffice may properly be referred to the Postmaster-General, whom it directly concerns. The facts, as disclosed by the investigation, show that the department and not the postmaster-general was responsible for the violations and evasions of the civil service law and rules in the Washington office. It is, therefore, an evasion and not a refutation of the facts.

The answer of the postmaster is already recorded in the report of the investigation in statements signed by him. When questioned as to the responsibility for the infractions of the civil service rules in the Washington postoffice, he said:

"As most of the appointments of the people who have in any degree violated the civil service regulations have been designated or made by the department, it is my opinion that the responsibility for violations of the regulations should be located with the parties directing the appointments."

Again he said: "People that had proved inefficient in the department had been placed upon the postoffice on several occasions, as is instances in the case of —."

The postmaster also stated that in his opinion his office could have been run with much greater economy if the department had left the personnel of the force to his own selection. In commenting upon that part of the commission's letter which deals with the classification transfers made adopted by the department to evade the rules, he avoids, by a safe margin, the statement that the appointments to the various offices should be located with the parties directing the appointments."

Again he said: "People that had proved inefficient in the department had been placed upon the postoffice on several occasions, as is instances in the case of —."

The postmaster also stated that in his opinion his office could have been run with much greater economy if the department had left the personnel of the force to his own selection. In commenting upon that part of the commission's letter which deals with the classification transfers made adopted by the department to evade the rules, he avoids, by a safe margin, the statement that the appointments to the various offices should be located with the parties directing the appointments."

Again he said: "People that had proved inefficient in the department had been placed upon the postoffice on several occasions, as is instances in the case of —."

This statement, however, the question, it is a civil service rule promulgated by the President which provides for the classification of clerks at free-delivery posts, and the commission construes this rule as meaning only bona fide employees as are in a classifiable status. It was the department, and not the statute or the rules, that gave the name of bona fide to those officers for the sole purpose of getting them into the classified position in the Washington post office.

The department in making these appointments without doubt reverted to the practice which the Civil Service Act was designed to prevent, and to this extent nullified the statute.

In 1897, before I became Postmaster-General, some persons were appointed to the offices about to be classified, after examination, they were transferred to other offices of the service. This practice thus introduced continued in a limited degree."

As a matter of record there were only four such appointments made during the latter part of 1898, and the early part of 1899, prior to the appointment of Mr. Smith, and 124 under his administration.

Mr. Smith says: "No rule, even at this time, forbids the transfer at any time in the exactly parallel case where small unclassified offices are transferred to other offices of the service. This practice thus introduced continued in a limited degree."

As a matter of record there were only four such appointments made during the latter part of 1898, and the early part of 1899, prior to the appointment of Mr. Smith, and 124 under his administration.

Mr. Smith says: "No rule, even at this time, forbids the transfer at any time in the exactly parallel case where small unclassified offices are transferred to other offices of the service. This practice thus introduced continued in a limited degree."

This assertion ignores the fact that section 8 of Civil Service Rule 11 forbids the classification of an employee in an office which has not been certified with a classified office unless he has actually served therein during the six months next preceding the consolidation, and has been consolidated through consecutive examination.

He also quotes in his letter of December 27, 1900, to the commission, in which he agreed that admissions to the service made so far as practicable should be made upon examination and stated that directions had been given which would remove all just grounds for complaint. Smith now states his belief that the examination he received this letter, and declares that he will not comment on the peculiar cordon which made no acknowledgement of removal as the first ground of complaint, and then seek to suppress the truth about it now."

A sufficient reply to this statement will be found on page 306 of the seven-year annual report of the commission, published in the early summer of 1901, in which this statement follows the full quotation of Mr. Smith's letter: "It is gratifying to the commis-

sion to be able to state, that since the date of the above letter, but one case of this kind has occurred."

The declaration of intention on December 27, 1900, was a declaration of intention on the part of the department to observe the intent of the law after six written appointments from the date of the declaration, from May 15, 1898, to May 24, 1900, two references of the matter to the President and the appointment and transfer of 124 employees by the objectionable method.

Mr. Smith resents the statement that the rural free-delivery service was packed with employees in the interests of the individuals just before the classification, and that the new appointments were appointed before the date of the declaration, and that fifty-six were appointed in the twenty-six days just preceding classification on November 27, 1901, while only twenty-four were appointed before that date and May 24, 1900.

He attributes the large number of appointments just before classification to the great increase of work, as indicated by the fact that the appropriation for the rural free-delivery service for the year ended June 30, 1902, was double the amount for the preceding year.

He does not explain why, although the appropriation was again doubled for the year ended June 30, 1902, it was necessary to appoint to twice the number of positions appointed in the year ended June 30, 1901.

"In 1893, the local coin and other money in the United States was \$1,739,000,000; in 1895, this had increased to \$2,073,000,000. July 1, 1903, the money in the country had increased to \$2,688,000,000."

In the Matter of Seals.

WASHINGTON, July 26.—The determination of the question whether seals shall be protected in the Berlin Sea or whether they can be destroyed without being destroyed at once, as proposed last season, will be referred to the joint commission which will sit in London in September.

OBITUARY.

Congressman R. E. Foederer.

PHILADELPHIA, July 26.—Congressman Robert H. Foederer of the Fourth Pennsylvania District died at Norristown today, aged 42. He had been ill for some time from a combination of diseases.

He adds: You have been Postmaster-General a year and a half, and you have not dropped one of them. If the service was "packed," how faithfully you have held to your duty. This heading did not say that the hood was snatched at you, as well as me."

Mr. Smith apparently fails to recognize the fact that the rapid growth of the rural free-delivery service would specially relieve this condition without recourse to removal. He cites the fact that forty-one of a certain group of fifty-four employees were appointed to these appointments leading to these appointments were not political. The commission has not claimed any such influence which prompted the numerous appointments under consideration were all political, nor will anything be found in the letter or report which necessitates an analysis on the basis of sex. It is a fact, however, that a number of the persons, men as well as women, employed or employed in evasion or contravention of the civil service law and rules, who were examined during the investigation were selected through the influences of Senatorial and congressional politicians and high officials of the Post Office Department. Their names and the names of the persons who urged their appointment appear in the report of the investigation.

The investigation of portions of the commission's letter has been denied by Mr. Smith, although the essential facts it contained have not been controverted.

Concerning the question of relevancy, it may be stated that the Postmaster-General requested the commission to investigate and report whether the civil service rules were violated in the Washington postoffice, and that the investigation disclosed the fact that regarding the relation of a bureau to the department in the matter of appointments and other changes, some of the civil service rules necessarily come within its scope.

"This was especially true with regard to the rural free-delivery service, and the department would specially relieve this condition without recourse to removal. He cites the fact that forty-one of a certain group of fifty-four employees were appointed to these appointments leading to these appointments were not political. The commission has not claimed any such influence which prompted the numerous appointments under consideration were all political, nor will anything be found in the letter or report which necessitates an analysis on the basis of sex. It is a fact, however, that a number of the persons, men as well as women, employed or employed in evasion or contravention of the civil service law and rules, who were examined during the investigation were selected through the influences of Senatorial and congressional politicians and high officials of the Post Office Department. Their names and the names of the persons who urged their appointment appear in the report of the investigation.

Mr. Smith states that the department was engaged for several weeks with the Civil Service Commission in trying to get a system of body of rules for the appointment of rural free-delivery carriers, and that in this work Mr. Proctor proved at once "unreliable, so dogmatic and so impracticable, as to be wholly unsuited to the requirements of the Post Office Department. Their names and the names of the persons who urged their appointment appear in the report of the investigation.

Mr. Smith states that one-third of Mr. Proctor's letter which immediately concerns the Washington postoffice may properly be referred to the Postmaster-General, whom it directly concerns. The facts, as disclosed by the investigation, show that the department and not the postmaster-general was responsible for the violations and evasions of the civil service law and rules in the Washington office. It is, therefore, an evasion and not a refutation of the facts.

The answer of the postmaster is already recorded in the report of the investigation in statements signed by him. When questioned as to the responsibility for the infractions of the civil service rules in the Washington postoffice, he said:

"As most of the appointments of the people who have in any degree violated the civil service regulations have been designated or made by the department, it is my opinion that the responsibility for violations of the regulations should be located with the parties directing the appointments."

Again he said: "People that had proved inefficient in the department had been placed upon the postoffice on several occasions, as is instances in the case of —."

The postmaster also stated that in his opinion his office could have been run with much greater economy if the department had left the personnel of the force to his own selection. In commenting upon that part of the commission's letter which deals with the classification transfers made adopted by the department to evade the rules, he avoids, by a safe margin, the statement that the appointments to the various offices should be located with the parties directing the appointments."

Again he said: "People that had proved inefficient in the department had been placed upon the postoffice on several occasions, as is instances in the case of —."

This statement, however, the question, it is a civil service rule promulgated by the President which provides for the classification of clerks at free-delivery posts, and the commission construes this rule as meaning only bona fide employees as are in a classifiable status. It was the department, and not the statute or the rules, that gave the name of bona fide to those officers for the sole purpose of getting them into the classified position in the Washington post office.

The department in making these appointments without doubt reverted to the practice which the Civil Service Act was designed to prevent, and to this extent nullified the statute.

In 1897, before I became Postmaster-General, some persons were appointed to the offices about to be classified, after examination, they were transferred to other offices of the service. This practice thus introduced continued in a limited degree."

As a matter of record there were only four such appointments made during the latter part of 1898, and the early part of 1899, prior to the appointment of Mr. Smith, and 124 under his administration.

Mr. Smith says: "No rule, even at

this time, forbids the transfer at any time in the exactly parallel case where small unclassified offices are transferred to other offices of the service. This practice thus introduced continued in a limited degree."

This assertion ignores the fact that section 8 of Civil Service Rule 11 forbids the classification of an employee in an office which has not been certified with a classified office unless he has actually served therein during the six months next preceding the consolidation, and has been consolidated through consecutive examination.

He also quotes in his letter of December 27, 1900, to the commission, in which he agreed that admissions to the service made so far as practicable should be made upon examination and stated that directions had been given which would remove all just grounds for complaint. Smith now states his belief that the examination he received this letter, and declares that he will not comment on the peculiar cordon which made no acknowledgement of removal as the first ground of complaint, and then seek to suppress the truth about it now."

A sufficient reply to this statement will be found on page 306 of the seven-year annual report of the commission, published in the early summer of 1901, in which this statement follows the full quotation of Mr. Smith's letter: "It is gratifying to the commis-

sion to be able to state, that since the date of the above letter, but one case of this kind has occurred."

The declaration of intention on December 27, 1900, was a declaration of intention on the part of the department to observe the intent of the law after six written appointments from the date of the declaration, from May 15, 1898, to May 24, 1900, two references of the matter to the President and the appointment and transfer of 124 employees by the objectionable method.

Mr. Smith resents the statement that the rural free-delivery service was packed with employees in the interests of the individuals just before the classification, and that the new appointments were appointed before the date of the declaration, and that fifty-six were appointed in the twenty-six days just preceding classification on November 27, 1901, while only twenty-four were appointed before that date and May 24, 1900.

He attributes the large number of appointments just before classification to the great increase of work, as indicated by the fact that the appropriation for the rural free-delivery service for the year ended June 30, 1902, was double the amount for the preceding year.

He does not explain why, although the appropriation was again doubled for the year ended June 30, 1902, it was necessary to appoint to twice the number of positions appointed in the year ended June 30, 1901.

"In 1893, the local coin and other money in the United States was \$1,739,000,000; in 1895, this had increased to \$2,073,000,000. July 1, 1903, the money in the country had increased to \$2,688,000,000."

In the Matter of Seals.

WASHINGTON, July 26.—The determination of the question whether seals shall be protected in the Berlin Sea or whether they can be destroyed without being destroyed at once, as proposed last season, will be referred to the joint commission which will sit in London in September.

OBITUARY.

Congressman R. E. Foederer.

PHILADELPHIA, July 26.—Congressman Robert H. Foederer of the Fourth Pennsylvania District died at Norristown today, aged 42. He had been ill for some time from a combination of diseases.

He adds: You have been Postmaster-General a year and a half, and you have not dropped one of them. If the service was "packed," how faithfully you have held to your duty. This heading did not say that the hood was snatched at you, as well as me."

Mr. Smith apparently fails to recognize the fact that the rapid growth of the rural free-delivery service would specially relieve this condition without recourse to removal. He cites the fact that forty-one of a certain group of fifty-four employees were appointed to these appointments leading to these appointments were not political. The commission has not claimed any such influence which prompted the numerous appointments under consideration were all political, nor will anything be found in the letter or report which necessitates an analysis on the basis of sex. It is a fact, however, that a number of the persons, men as well as women, employed or employed in evasion or contravention of the civil service law and rules, who were examined during the investigation were selected through the influences of Senatorial and congressional politicians and high officials of the Post Office Department. Their names and the names of the persons who urged their appointment appear in the report of the investigation.

Mr. Smith states that the department was engaged for several weeks with the Civil Service Commission in trying to get a system of body of rules for the appointment of rural free-delivery carriers, and that in this work Mr. Proctor proved at once "unreliable, so dogmatic and so impracticable, as to be wholly unsuited to the requirements of the Post Office Department. Their names and the names of the persons who urged their appointment appear in the report of the investigation.

Mr. Smith states that one-third of Mr. Proctor's letter which immediately concerns the Washington postoffice may properly be referred to the Postmaster-General, whom it directly concerns. The facts, as disclosed by the investigation, show that the department and not the postmaster-general was responsible for the violations and evasions of the civil service law and rules in the Washington office. It is, therefore, an evasion and not a refutation of the facts.

The answer of the postmaster is already recorded in the report of the investigation in statements signed by him. When questioned as to the responsibility for the infractions of the civil service rules in the Washington postoffice, he said:

"As most of the appointments of the people who have in any degree violated the civil service regulations have been designated or made by the department, it is my opinion that the responsibility for violations of the regulations should be located with the parties directing the appointments."

Again he said: "People that had proved inefficient in the department had been placed upon the postoffice on several occasions, as is instances in the case of —."

The postmaster also stated that in his opinion his office could have been run with much greater economy if the department had left the personnel of the force to his own selection. In commenting upon that part of the commission's letter which deals with the classification transfers made adopted by the department to evade the rules, he avoids, by a safe margin, the statement that the appointments to the various offices should be located with the parties directing the appointments."

Again he said: "People that had proved inefficient in the department had been placed upon the postoffice on several occasions, as is instances in the case of —."

This statement, however, the question, it is a civil service rule promulgated by the President which provides for the classification of clerks at free-delivery posts, and the commission construes this rule as meaning only bona fide employees as are in a classifiable status. It was the department, and not the statute or the rules, that gave the name of bona fide to those officers for the sole purpose of getting them into the classified position in the Washington post office.

The department in making these appointments without doubt reverted to the practice which the Civil Service Act was designed to prevent, and to this extent nullified the statute.

In 1897, before I became Postmaster-General, some persons were appointed to the offices about to be classified, after examination, they were transferred to other offices of the service. This practice thus introduced continued in a limited degree."

As a matter of record there were only four such appointments made during the latter part of 1898, and the early part of 1899, prior to the appointment of Mr. Smith, and 124 under his administration

**PACIFIC SLOPE**  
**IMPATIENCE**  
**WINS A POINT.**

*Saloons Closed by Mayor and Marshal.*

*Yard Employees Obliged to Remain Sober.*

*Boy Blown to Pieces; Shopkeeper Kills Deputy. Dead Boy Identified.*

*ON THE WATER FRONT.*

**PORT SAN PEDRO, LOS ANGELES**

*REPORTED DAILY FOR THE TIMES*

*ARRIVED-SUNDAY, JULY 26.*

*Steamer Marshall, Capt. Detmers, from San Francisco, Capt. Eagles, 2½ days from San Francisco, and way ports, steamer*

*Sailed-SUNDAY, JULY 26.*

*Steamer Marshall, Capt. Detmers, for San Francisco, Capt. Eagles, for San Francisco, via way ports.*

*DUE AT THIS PORT.*

*From Coors, via San Francisco, steamer*

*Samoa, from Mendocino, steamer Fulton,*

*from San Francisco, and way ports, steamer*

*Cook, via San Francisco.*

*TO LEAVE-MONDAY, JULY 27.*

*For San Francisco, steamer Redondo.*

*Friday, July 31. For San Francisco, via way port, steamer Coos Bay.*

*The steamers Hermosa, and Warrior make return trips to Santa Catalina and return.*

*MOVEMENT OF "MOSQUITO" FLEET.*

*SAILED.*

*Launch Pronto, Capt. Doran, from Santa Catalina Island.*

*Pronto, Capt. Doran, and Columbus, for a cruise to the fishing grounds off Point Fermin, and returned with fish for local dealers.*

*Portuguese, and the employees at the port will have no opportunity to gamble.*

*Secretary Moody's continuation of navy repairs at Bremerton conditional upon*

*the arrival of the fleet of February 1.*

*The steamers Hermosa, and Warrior make return trips to Santa Catalina and return.*

*Why DOWN BY TRAIN.*

*ED MRS. HUFFMAN KILLED.*

*BY THE ASSOCIATED PRESS-P.M.*

*HANTA, ROME, July 26.—While crossing a bridge on the Southern Pacific near the depot, this evening, Mrs. Esther Huffman was killed and her daughter only escaped a terrible death*

*jumping.*

*Mrs. Huffman and her daughter were on the bridge, which is situated*

*in the road, when the road approaching train attracted the eye of the daughter. Before she*

*had time to say anything to her*

*mother, the girl leaped from the*

*train, and falling to the floor, a distance of thirty feet,*

*the injured woman, who had within five minutes been struck by the engine, regained consciousness.*

*The girl, while uninjured physically from shock, and is in*

*a serious condition tonight*

*over the mother's body will*

*AT NEW YORK HOTEL.*

*NEW YORK, July 26.—(UPI)—A fire*

*occurred yesterday at the Hotel Glass, H. J. Whitley, at 26 Avenue G, N. Clark and son*

*the Grosvenor, H. Eland, and son*

*the Manhattan, C. A. D.*

*Carver, T. J. McCaffrey, at the*

*Bethel, H. Goldschmidt, at the*

*McConnell, at the Manhattan,*

*and the Pasadena, C. P. Edwards, Santa Barbara.*

*INCENDIARY'S FATAL WRECK.*

*ALTON (III), July 26.—Fire which*

*had been started by an incendiary*

*last night destroyed a building*

*on a number yard, and resulted*

*in the death of one person*

*and serious injuries to six others.*

*Miss Ruth Ruth was burned to*

*death, and two others were*

*badly burned, and George*

*Chen, who was hurt in jumping*

*out of the window. He was*

*admitted to the hospital*

*and is recovering.*

*DEPUTY KILLS DEPUTY.*

*BY THE ASSOCIATED PRESS-P.M.*

*ALTON (III), July 26.—Fire which*

*had been started by an incendiary*

*last night destroyed a building*

*on a number yard, and resulted*

*in the death of one person*

*and serious injuries to six others.*

*Miss Ruth Ruth was burned to*

*death, and two others were*

*badly burned, and George*

*Chen, who was hurt in jumping*

*out of the window. He was*

*admitted to the hospital*

*and is recovering.*

*DEPUTY KILLS DEPUTY.*

*BY THE ASSOCIATED PRESS-P.M.*

*ALTON (III), July 26.—Fire which*

*had been started by an incendiary*

*last night destroyed a building*

*on a number yard, and resulted*

*in the death of one person*

*and serious injuries to six others.*

*Miss Ruth Ruth was burned to*

*death, and two others were*

*badly burned, and George*

*Chen, who was hurt in jumping*

*out of the window. He was*

*admitted to the hospital*

*and is recovering.*

*DEPUTY KILLS DEPUTY.*

*BY THE ASSOCIATED PRESS-P.M.*

*ALTON (III), July 26.—Fire which*

*had been started by an incendiary*

*last night destroyed a building*

*on a number yard, and resulted*

*in the death of one person*

*and serious injuries to six others.*

*Miss Ruth Ruth was burned to*

*death, and two others were*

*badly burned, and George*

*Chen, who was hurt in jumping*

*out of the window. He was*

*admitted to the hospital*

*and is recovering.*

*DEPUTY KILLS DEPUTY.*

*BY THE ASSOCIATED PRESS-P.M.*

*ALTON (III), July 26.—Fire which*

*had been started by an incendiary*

*last night destroyed a building*

*on a number yard, and resulted*

*in the death of one person*

*and serious injuries to six others.*

*Miss Ruth Ruth was burned to*

*death, and two others were*

*badly burned, and George*

*Chen, who was hurt in jumping*

*out of the window. He was*

*admitted to the hospital*

*and is recovering.*

*DEPUTY KILLS DEPUTY.*

*BY THE ASSOCIATED PRESS-P.M.*

*ALTON (III), July 26.—Fire which*

*had been started by an incendiary*

*last night destroyed a building*

*on a number yard, and resulted*

*in the death of one person*

*and serious injuries to six others.*

*Miss Ruth Ruth was burned to*

*death, and two others were*

*badly burned, and George*

*Chen, who was hurt in jumping*

*out of the window. He was*

*admitted to the hospital*

*and is recovering.*

*DEPUTY KILLS DEPUTY.*

*BY THE ASSOCIATED PRESS-P.M.*

*ALTON (III), July 26.—Fire which*

*had been started by an incendiary*

*last night destroyed a building*

*on a number yard, and resulted*

*in the death of one person*

*and serious injuries to six others.*

*Miss Ruth Ruth was burned to*

*death, and two others were*

*badly burned, and George*

*Chen, who was hurt in jumping*

*out of the window. He was*

*admitted to the hospital*

*and is recovering.*

*DEPUTY KILLS DEPUTY.*

*BY THE ASSOCIATED PRESS-P.M.*

*ALTON (III), July 26.—Fire which*

*had been started by an incendiary*

*last night destroyed a building*

*on a number yard, and resulted*

*in the death of one person*

*and serious injuries to six others.*

*Miss Ruth Ruth was burned to*

